

ATLANTA CITY COUNCIL

ACTION/MINUTES

DECEMBER 06, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, December 06, 2010. The Meeting convened at 1:15 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided.

Attendance:

The following (14) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall *1:27	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Lance Bottoms
The Honorable Cleta Winslow *1:43	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong	The Honorable Michael J. Bond *1:20
The Honorable Howard Shook	The Honorable Aaron Watson *2:30
The Honorable Yolanda Adrean	The Honorable H. Lamar Willis *1:27

Councilmember Alex Wan (Absent with Notice) was absent.

***Arrival Time:** - indicates arrival after convening roll call.

INVOCATION: Reverend Geoffrey Hoare of All Saints' Episcopal Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **November 15, 2010** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember Moore made a Motion to **Amend** the **Agenda** to add Resolution 10-R-2142 to the Public Safety and Legal Administration Committee report and move said Standing Committee to report first. It was properly Seconded and **CARRIED** by a roll call vote of **14 yeas; 0 nays**. Following, the **Agenda** was **Adopted as Amended** by a roll call vote of **14 yeas; 0 nays**.

12/6/10 Action Minutes

APPOINTMENT OF COMMITTEE MEMBERS: During this meeting, Council President Ceasar C. Mitchell appointed the Committee Chairs and members. **(Referenced Communication 10-C-2233)**

PRESIDENT PRO TEMPORE: Councilmember Felicia A. Moore made a Motion to elect Councilmember Joyce Sheperd as the President Pro Tempore for year 2011. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **10 yeas; 0 nays.**

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 10-C-2138 (1) A Communication by **Mayor Kasim Reed** appointing Ms. Cecily J. McLeod to serve as Contract Compliance Hearing Officer on behalf of the City of Atlanta. This appointment is for a term of (2) two years, scheduled to begin on the date of Council confirmation.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-2139 (2) A Communication from **Ms. Drewnell Thomas, President, Atlanta Planning Advisory Board, to Council President Ceasar C. Mitchell and Members of Council**, submitting their appointment of Ms. Carol Snype Crawford to serve as a member of the City of Atlanta's Ethics Board. (Does not require Council confirmation.)
FILED WITHOUT OBJECTION
- 10-C-2141 (3) A Communication from **Jim Martin, Chair NPU-D, to Municipal Clerk Rhonda Dauphin Johnson**, submitting the appointment of Mr. Lee Coker as their representative to serve as a member of the Perry Bolton Tax Allocation District (TAD) Neighborhood Advisory Committee, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 10-C-2233 (4) A Communication by **Council President Ceasar C. Mitchell** submitting the 2011 Committee assignments. (Note: this communication was not on the agenda or read for the record; however, an official copy is on file.)
FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

CONSENT AGENDA SECTION I

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 10-O-1919, 10-O-1991 and 10-O-2107 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **14 Yeas:** Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis: **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

10-O-1656 (1) A **Substitute** Ordinance by **Community Development/ Human Resources Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$434,614.00 to increase the budget amount authorized by the U. S. Department of Housing and Urban Development (HUD) for the City of Atlanta Section 8 Moderate Rehabilitation Program for Arcadia Downs Apartment; to ratify rental services rendered by the Teresa C. Mitchell between July 16, 2010 and the execution date of the agreement authorized herein; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1878 (2)
CDP-10-14 An Ordinance by **Councilmember Alex Wan** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **987 Myrtle Street** from the Medium Density Residential Land Use Designation to the Low Density Residential Land Use Designation; and for other purposes. (Public Hearing held 11/29/10)

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

10-O-1879 (3) An Ordinance by **Councilmember Alex Wan** to amend the Land
CDP-10-15 Use Element of the 2008 Atlanta Comprehensive Development
Plan (CDP) so as to re-designate property that is located at **403,
407, 413, 419, 425, 429, 435, 441 and 443 Montgomery Ferry
Rd.**, from the Low Density Commercial Land Use Designation to
the Low Density Residential Land Use Designation; and for other
purposes. (Public Hearing held 11/29/10)

NPU-F

Council District 6

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

10-O-1919 (4) An Ordinance by **Community Development/ Human Resources
Committee** to amend the 2008 City of Atlanta Comprehensive
Development Plan by adopting the “**Atlanta BeltLine Master Plan
Sub-Area 4: Memorial Drive/ Glenwood Ave.**,” and for other
purposes. (Public Hearing held 11/29/10)

**The above item was removed from the Consent Agenda by
request of Councilmember Archibong.**

**SEE COMMUNITY DEVELOPMENT/ HUMAN RESOURCES
COMMITTEE REPORT**

10-O-1920 (5) An Ordinance by **Community Development/ Human Resources
Committee** to amend the 2008 City of Atlanta Comprehensive
Development Plan by adopting the “**Atlanta BeltLine Master Plan
Sub-Area 10: Boone/ Hollowell**,” and for other purposes. (Public
Hearing held 11/29/10)

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

10-O-1921 (6) An Ordinance by **Community Development/ Human Resources
Committee** to amend the 2008 City of Atlanta Comprehensive
Development Plan by adopting the “**Atlanta BeltLine Master Plan
Sub-Area 1: Abernathy/ Cascade**,” and for other purposes. (Public
Hearing held 11/29/10)

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

10-O-1990 (7)
CDP-10-11 An Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the City of Atlanta's 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area 1 Abernathy – Cascade** from Various Land Use Designations to Various Land Use Designations; and for other purposes. (Public Hearing held 11/29/10)

NPU S and T

Council District 4

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

10-O-1991 (8)
CDP-10-12 An Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the City of Atlanta's 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area 4 Memorial-Glenwood** from Various Land Use Designations to Various Land Use Designations; and for other purposes. (Public Hearing held 11/29/10)

NPU S N and W

Council District 1, 2 and 5

The above item was removed from the Consent Agenda by request of Councilmember Archibong.

**SEE COMMUNITY DEVELOPMENT/ HUMAN RESOURCES
COMMITTEE REPORT**

10-O-1992 (9)
CDP-10-13 An Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the City of Atlanta's 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area 10 Boone-Hollowell** from Various Land Use Designations to Various Land Use Designations; and for other purposes. (Public Hearing held 11/29/10)

NPU K

Council District 3

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 10-O-2095 (10) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor, on behalf of the City of Atlanta, to accept a \$30,000.00 grant from the Coca-Cola Foundation for the purpose of funding the After-School Music Program provided at the Gilbert House by the Atlanta Music Project Inc.; and authorizing the Mayor, on behalf of the City, to enter an agreement with the Coca-Cola Foundation regarding the acceptance of said funds; and authorizing the Mayor, on behalf of the City, to transfer said \$30,000.00 grant funds to the Atlanta Music Project, Inc. for the sole purpose of operating the Music Program; and authorizing the Mayor or his designee to enter an agreement with the Atlanta Music Project, Inc. regarding expenditure of the grant money; and authorizing the anticipations and appropriations associated with the grant in the accounts described herein; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

- 10-O-2107 (11) An Ordinance by **Councilmember C. T. Martin** amending the 2011 (WIA Adult Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$1,679,602.00 in the Workforce Investment Act Adult Fund from the Georgia Department of Labor, to provide job training and other skills to local adult workers; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin.

SEE COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE REPORT

FINANCE/ EXECUTIVE COMMITTEE
FELICIA A. MOORE, VICE-CHAIR

- 10-O-1893 (12) An Ordinance by **Finance/ Executive Committee** to amend the City of Atlanta General Employees' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes. (Approved by the General Employees Pension Board)

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

- 10-O-1894 (13) An Ordinance by **Finance/Executive Committee** to amend the City of Atlanta Firefighters' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1895 (14) An Ordinance by **Finance/Executive Committee** to amend the City of Atlanta Police Officers' Pension Fund so as to modify certain limitations on benefits pursuant to changes in the U. S. Internal Revenue Code to repeal conflicting ordinances; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1965 (15) An Ordinance by **Finance/Executive Committee** to correct Ordinance Number 10-O-0743 Adopted by the Atlanta City Council on May 17, 2010, and Approved by the Mayor on May 25, 2010; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1966 (16) A **Substitute** Ordinance by **Finance/Executive Committee** amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to anticipations and appropriations in the amount of \$4,000.00 for a Grant Award from Southface Energy Institute, to support the operations of the Department of Executive Offices, Division of Sustainability; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

- 10-O-1967 (17) An Ordinance by **Finance/ Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta to waive the requirements of the City Code Section 2-1541(d) of the Procurement and Real Estate Code, to accept the donation from Atlanta BeltLine, Inc. of approximately 0.84 acre located around D. H. Stanton Park on Grant Way being Tax Parcel Identification Numbers 14-0055-0009-055-0, 14-0055-0009-056-8, 14-0055-0009-057-6, being more particularly described in Exhibit "A" attached hereto ("The Grant Way Properties"); the value of said donations which is \$145,000.00 will be credited toward the Atlanta BeltLine, Inc.'s ("ABI's") obligations under City Ordinance 09-O-2055; said ordinance authorized the Mayor on behalf of the City of Atlanta to accept reimbursement for the cost of property located at 1090 North West Lois Street which was previously transferred to Atlanta BeltLine, Inc.; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1993 (18) A **Substitute** Ordinance by **Finance/ Executive Committee** to create the 2010A (Airport Revenue Bond Fund) and the 2010B (Passenger Facility Charge and Subordinate Lien General Revenue Bond Fund); to amend the FY2011 Budget by adding to Anticipations and Appropriations Bond Proceeds in the amount of \$185,147,756.80 for the Airport General Revenue Bonds, Series 2010A and \$447,771,117.40 for the Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2010B; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1995 (19) An Ordinance by **Finance/ Executive Committee** authorizing the Mayor to execute Amendment Number 1 to the Memorandums of Understanding between the City of Atlanta and Georgia Solar Energy Association and Georgia Tech Research Institute to increase the dollar amount of the Sub-grants to each organization; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

- 10-O-2094 (20) An Ordinance by **Councilmembers Yolanda Adrean, Felicia A. Moore, Howard Shook, Joyce M. Sheperd, Cleta Winslow, Kwanza Hall, Alex Wan, C. T. Martin, Aaron Watson and H. Lamar Willis** transferring funds from the District 8 Councilmember Expense Account to Park Pride on behalf of the Wildwood Civic Association to assist in the installation of a rubberized playground surface for Beaverbrook Park; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2105 (21) An Ordinance by **Councilmembers Kwanza Hall, Yolanda Adrean, Joyce M. Sheperd, Natalyn M. Archibong, Aaron Watson, Howard Shook, Cleta Winslow, H. Lamar Willis, Alex Wan and Michael Julian Bond** authorizing the Chief Procurement Officer to advertise for sealed bids for the purchase of the City of Atlanta's interests in Two Ground Leases for properties in Land Lot 50 of the 14th District of Fulton County, in the City of Atlanta; to waive the provisions of Section 2-1572 which requires the Chief Procurement Officer to obtain a Land Survey; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2106 (22) An Ordinance by **Councilmember Yolanda Adrean as Substituted by Finance/Executive Committee** authorizing the Chief Financial Officer to pay \$4,500.00 from the District 8 Councilmember Expense Account to Park Pride Atlanta, Inc. to be used for expenses related to the removal of fallen trees located in Atlanta Memorial Park; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 10-O-1914 (23) An **Amended Ordinance by City Utilities Committee** to amend Chapter 154, Article III Section 73, et seq. (The City of Atlanta Water Use Restrictions Ordinance, 07-O-0956) to harmonize the Ordinance with State Law; to establish comprehensive Water Use Restrictions; to authorize the Commissioner of the Department of Watershed Management to set Outdoor Water Use Restrictions during emergency conditions; to establish provisions for adequate enforcement of Outdoor Water Use Restrictions; to amend Chapter 154, Article II, Water and Sewer Appeals Board; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1915 (24) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$1,000,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to Appropriations funds for Public Health Security-Wastewater Project for the purpose of implementing safety and security Audit Recommendations at Department of Watershed Management Facilities; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-1972 (25) An Ordinance by **City Utilities Committee** to amend Part III Code of Ordinances ("Land Development Code"), Appendix C ("Plumbing Code Amendments"), Chapter 1 ("Administration") to require new conveyor car washes to recycle water; to comply with the requirements of the Metropolitan North Georgia Water Planning District's 2009 Water Supply and Water Conservation Management Plan; to conserve water resources; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

10-O-1973 (26) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund - 5066) Budget in the amount of \$19,500,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to Appropriation funds for the purpose of completing the final phase of the South River Tunnel & Pump Station Project; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

10-O-1974 (27) An Ordinance by **City Utilities Committee** to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) Budget by adding to anticipations and appropriations surety proceeds in the amount of \$1,588,848.00 per the Settlement Agreement approved by the Full Council of the City of Atlanta, Georgia August 16, 2010 to complete additional corrective work for the Indian Creek Drainage Basin Project; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

RESOLUTIONS

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

10-R-1657 (1) A **Substitute** Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor on behalf of the Department of Planning and Community Development, Office of Housing, to enter into a Housing Assistance Payments Contract with Teresa C. Mitchell, in an amount not to exceed \$387,645.00, in order to pay rental subsidies and utility allowances on behalf of fifty-three (53) low income families at Arcadia Downs Apartment, pursuant to the Section 8 Moderate Rehabilitation Program sponsored by the U. S. Department of Housing and Urban Development; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 10-R-1922 (2) A Resolution by **Community Development/ Human Resources Committee** amending Resolution 10-R-1228 for the purpose of amending the Geographic Boundaries of Atlanta Urban Redevelopment Area No. 1; reaffirming all other provisions contained in Resolution 10-R-1228; and for other purposes. (Public Hearing held 11/29/10)
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-1924 (3) A **Substitute** Resolution by **Community Development/ Human Resources Committee** to amend the City of Atlanta Urban Redevelopment Plan for Atlanta Urban Redevelopment Area No. 1 as amended; and for other purposes. (Public Hearing held 11/29/10)
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-1925 (4) A **Substitute** Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to appoint a Development Impact Fee Advisory Committee to advise the City with regard to the adoption of amendments to Chapter 1 of Part 19 of the City of Atlanta Code of Ordinances, the City of Atlanta Development Impact Fee Ordinance; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-1926 (5) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor, through the Department of Planning and Community Development, to apply to the Georgia Department of Community Affairs (DCA) for designation of certain areas within the City as "Opportunity Zones" pursuant to the State of Georgia's Opportunity Zone Tax Credit Program. (Public Hearing held 11/29/10)
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2008 (6) A Resolution by **Community Development/ Human Resources Committee** to transmit the Community Assessment and Community Participation Program Components of the City of Atlanta 2011 Comprehensive Development Plan to the Atlanta Regional Commission for its review. (Public Hearing held 11/29/10)
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 10-R-2109 (7) A Resolution by **Community Development/ Human Resources Committee** authorizing the Mayor to enter into contract with Pittsburgh Community Improvement Association, Inc. (PCIA) using Home Mortgage Foreclosure and Land Acquisition Pool Funds in order to implement the Partnership for the Preservation of Pittsburgh Project (PPOP) by rehabilitating up to ten (10) single-family residences previously acquired by PCIA using Neighborhood Stabilization Program funds (NSP); and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

FINANCE/ EXECUTIVE COMMITTEE
FELICIA A. MOORE, VICE-CHAIR

- 10-R-2084 (8) A Resolution by **Finance/ Executive Committee** authorizing the Mayor or his designee to enter into a Radio License Agreement with Grady Health System d/ b/ a Grady EMS to permit it to utilize the City of Atlanta 800 MHZ Radio Communications Network for the day to day operation of their two-way communications.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2086 (9) A **Substitute** Resolution by **Finance/ Executive Committee** authorizing the Mayor to enter into an Agreement with Konica Minolta Business Solutions, USA, Inc. utilizing the Federal GSA Contract Number GS-25F-0087M for Copier Lease and Maintenance for One (1) Bizhub C360 Copier and One (1) Bizhub C423 Copier on behalf of the Department of Watershed Management, in an amount not to exceed \$25,484.40; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2087 (10) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute a Sole Source Agreement with Kazmier and Associates for ISCO Automatic Wastewater Sampling and Flow Meter Products, on behalf of the Department of Watershed Management, in an amount not to exceed \$126,437.95; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

- 10-R-2088 (11) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with PC Specialists, Inc., d/b/a Technology Integration Group utilizing the State of Georgia Contract #99999-SPD-SPD0000024, for a Storage Solution that will allow Parking Operators at Hartsfield-Jackson Atlanta International Airport to fully manage the backup and restore process for the Parking Revenue and Control System (PRCS) and obtain compliance with the Payment Card Industry (PCI) requirements in an amount not to exceed \$24,534.00 for a three year period; to be charged to and paid from the FDOA Number listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2089 (12) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with Dell Marketing L. P. utilizing the State of Georgia Contract #SWC-O70764, for New Software Releases, Deployment Planning, Phone and Web Support, Training and Unique Technologies, in an amount not to exceed \$94,271.10 for a one year period; to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2090 (13) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing the State of Georgia Contract #SWC-90819, with Ricoh Americas Corporation, for the Lease and Maintenance of one (1) Ricoh 907EX Copier, one (1) Ricoh LD190 Copier and one (1) MP C3000 Copier for a period of sixty (60) months, on behalf of the Department of Procurement, in an amount not to exceed \$112,935.80; all contracted work will be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

10-R-2113 (14) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-0890N, with Florida Micro, for various items of General Purpose Commercial Information Technology Equipment, Software, and Services for one (1) year on behalf of the Department of Information Technology, in an amount not to exceed \$50,000.00 under a Blanket Purchase Order; all contracted work shall be charged to and paid from the FDOA Numbers indicated.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

10-R-2114 (15) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-0315N, with CXtec, for various items of General Purpose Commercial Information Technology Equipment, Software, and Services for one (1) year on behalf of the Department of Information Technology, in an amount not to exceed \$50,000.00 under a Blanket Purchase Order; all contracted work shall be charged to and paid from the FDOA Numbers set forth.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

10-R-2115 (16) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq. of Article X of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-0195J, with CDW Government, LLC., for various items of General Purpose Commercial Information Technology Equipment, Software, and Services for one (1) year on behalf of the Department of Information Technology, in an amount not to exceed \$100,000.00 under a Blanket Purchase Order; all contracted work shall be charged to and paid from the FDOA Numbers indicated.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

10-R-2128 (17) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute Amendment No. 1 with Pullen Energy Consulting, for FC-4992, Special Procurement for Energy Engineering Services, on behalf of the Mayor's Office, in an amount not to exceed \$33,000.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

10-R-2132 (18) A Resolution by **Finance/ Executive Committee** authorizing the Chief Procurement Officer to utilize Georgia State Contract 46600-362-00000004 to purchase Ninety (90) Cameras from Watch Guard Video, to record the interior of Police Vehicles ("In-Car-Cameras"), on behalf of the Department of Police ("Department"), in an amount not to exceed \$421,380.00. All costs shall be charged to and paid from the Federal RICO Trust FDOA Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

10-R-2005 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to Encumber Phase Three (3) funding in the amount of \$22,336,985.40, for FC-4747, South River Tunnel and Pumping Station with GSC Atlanta, Inc., on behalf of the Department of Watershed; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-2072 (20) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1, for FC-5037, Maintenance and Support Agreement for Customer Information System ("CIS")/ Billing System and Off-Site Billing Services for Enquesta with Systems & Software, Inc. on behalf of the Department of Watershed Management in an amount not to exceed \$613,237.14; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2073 (21) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to Prad & PBS&J, a Joint Venture, for FC-4906E, Architectural, Engineering & Design Services – Construction Management Support Services for South River Basin – East Point on behalf of the Department of Watershed Management in an amount not to exceed \$1,420,450.00; all work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2108 (22) A Resolution by **City Utilities Committee** authorizing the Mayor to issue a Task Order to United Consulting, Inc., for FC-4918E, Geotechnical, Environment Engineering, Testing and Investigation Services for Groundwater and Surface Water Monitoring at the Cascade Road, East Confederate, Gun Club Road and Key Road Landfills, on behalf of the Department of Public Works in an amount not to exceed \$364,000.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account and PTAEAO Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-2119 (23) An **Amended** Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to approve a Task Order to BGR, JV, for FC-4906C, Annual Contract for Architectural and Engineering Services, Safety Rectification for R. M. Clayton WRC, on behalf of the Department of Watershed Management in an amount not to exceed \$238,205.00; all contracted work to be charged to and paid from Fund, Department Organization and Account and PTAEAO Numbers listed; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2120 (24) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 4 with C P Richards Construction Co. Inc., for FC-4943A, Annual Contract for Sidewalk, Driveway, Curbs and Gutters for Safety Rectification for R. M. Clayton WRC, on behalf of the Department of Watershed Management in an amount not to exceed \$678,369.00; all contracted work will be charged to and paid from Fund, Department Organization and Account and PTAEAO Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-R-2121 (25) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 4 with Clark Municipal Services d/b/a Clark Truck Repair, for FC-6005007949, Annual Contract for Fleet Maintenance Services, on behalf of the Department of Watershed Management in an amount not to exceed \$130,000.00; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-R-2124 (26) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2, for FC-4737, Operations, Maintenance and Training for the Hemphill Steam Pumping Station with DPS, Infrastructure Monitoring Systems, Inc. on behalf of the Department of Watershed Management for time-only; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

IVORY L. YOUNG, JR., CHAIR

- 10-R-2011 (27) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Lunas Aaron, et al. v. City of Atlanta, Georgia, Civil Action File No. 2007-EV-003768, Fulton State Court, in the total amount of \$85,000.00; authorizing said payment to be paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 10-R-1996 (28) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-4556-B; Structural Tests and Special Inspections, with Terracon Consultants, Inc., in a collective amount not to exceed \$558,050.00, to provide services in support of Airside Projects at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 10-R-2000 (29) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-3007000037-B; Small Business Managing General Contractor Services with Biosphere International, Inc., in a collective amount not to exceed \$300,000.00, to provide Environmental Abatement Services for the Department of Aviation. All services shall be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2001 (30) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-3007000038-C; Managing General Contractor Services, with New South Construction Company, Inc./ Circle D Enterprises, LLC, a Joint Venture, in a collective amount not to exceed \$260,000.00, for Gate Renovation at Concourse D, Hartsfield-Jackson Atlanta International Airport. All services will be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2002 (31) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-3007000038-B; Managing General Contractors, with Bryson & Associates, JV, in a collective amount not to exceed \$1,145,625.92, to provide Repairs to Parking Decks and Miscellaneous Structures at Hartsfield-Jackson Atlanta International Airport. All services will be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 10-R-2074 (32) A Resolution by **Transportation Committee** authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-3007000038-C; Managing General Contractor Services, with New South Construction Company, Inc./ Circle D Enterprises, LLC, a Joint Venture, in a collective amount not to exceed \$400,000.00, for Central Passenger Terminal Complex (CPTC) Improvements at Hartsfield-Jackson Atlanta International Airport; all services will be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2075 (33) A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-D; Architectural and Engineering Design Services, with Hartsfield-Jackson Transportation Group, in an amount not to exceed \$800,847.00, to provide services for the Runway 27R Extension at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from PATEO and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2076 (34) A Resolution by **Transportation Committee** authorizing the Mayor or Chief Procurement Officer to execute a Reimbursable Agreement with the Federal Aviation Administration ("FAA") to reimburse the FAA for the costs incurred by it to relocate the FAA Fiber/ Cables and the Medium Intensity Approach Lighting System at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$219,591.35; all contracted work will be paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations:

- 10-R-2012 (1) Claim of **Level 3 Communications, LLC c/o JNR Adjustment Company, Inc. (OEAM/08)**, for damages alleged to have been sustained as a result of a condensation leak on July 31, 2009 and August 8, 2009 at 180 Peachtree Street, NW. **\$36,822.22**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2013 (2) A **Substitute** Claim of **Carice E. Anderson (DPW/01)**, for property damages alleged to have been sustained from an automobile accident on August 10, 2010 at Pryor Street, SW and Glenn Street, SW. **\$5,804.36**
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS
- 10-R-2014 (3) Claim of **Michael E. Pye, through his attorney, C. F. Spence, Esq., Foy & Associates (APD/09)**, for bodily injuries alleged to have been sustained from an automobile accident on May 8, 2010 at Browntown Road, NW and James Jackson Parkway, NW. **\$4,013.51**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2015 (4) Claim of **Gwendolyn Campbell (DWM/NA)**, for damages alleged to have been sustained as a result of striking a damaged water valve on April 10, 2010 at 197 Trinity Avenue, SW. **\$3,851.05**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2016 (5) Claim of **Dorothy and Marvin Eisenberg (DWM/07)**, for damages alleged to have been sustained as a result of a sewer backup on September 14, 2009 at 4545 Wieuca Road, #8. **\$3,593.88**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2017 (6) A **Substitute** Claim of **Crystal Taylor and Lawson's Auto Sales and Service (AFR/09)**, for damages alleged to have been sustained as a result of a vehicular accident on November 4, 2010 at 1802 Hollywood Road. **\$3,500.00**
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 10-R-2018 (7) Claim of **Jennifer K. McIntyre (DWM/ NA)**, for damages alleged to have been sustained as a result of striking a construction cut on August 27, 2009 at 166 Abernathy Road. **\$2,856.25**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2019 (8) Claim of **Juanita W. Mitchell (DWM/ 10)**, for damages alleged to have been sustained during the repair of a service lateral in February 2010 at 311 Argus Circle, NW. **\$2,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2020 (9) Claim of **Georgia Power Company (APD/ 06)**, for property damages alleged to have been sustained from an automobile accident on September 10, 2010 at Monroe Drive, NE and Amsterdam Avenue, NE. **\$2,337.89**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2021 (10) Claim of **GEICO, as subrogee of Ernestine Cluster (DWM/ 01)**, for damages alleged to have been sustained as a result of an automobile accident on May 18, 2010 at 180 Harriet Street, SE. **\$2,246.54**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2022 (11) Claim of **Atlanta Gas Light Company, through its attorney, John C. Williams (DWM/ 07)**, for damages alleged to have been sustained during the repair of a sewer storm water main on October 3, 2009 at 411 Pinetree Drive. **\$1,866.23**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2023 (12) Claim of **Heather Gray (DWM/ 07)**, for damages alleged to have been sustained as a result of an automobile accident on August 24, 2010 at N. Highland Avenue, NE and Virginia Avenue, NE. **\$1,827.88**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 10-R-2024 (13) Claim of **Jerry D. Porter (DWM/ NA)**, for damages alleged to have been sustained as a result of a vehicular accident on July 21, 2010 at 19 Ball Creek Way. **\$1,682.93**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2025 (14) Claim of **Rebecca Arnold (DWM/ 03)**, for damages alleged to have been sustained as a result of driving into a collapsed sewer line on September 13, 2010 at 425 Chappell Road. **\$1,675.55**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2026 (15) Claim of **Milton Z. Hall (DWM/ 09)**, for damages alleged to have been sustained as a result of a cave-in due to a failed sewer construction cut on June 17, 2010 at 716 Aline Drive, NW. **\$1,405.08**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2027 (16) Claim of **Lynda Cotton (DWM/ 10)**, for damages alleged to have been sustained as a result of a sewer backup on May 28, 2010 at 1732 South Gordon Street. **\$1,200.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2029 (17) Claim of **Cesar Y. Abadia and Cemar Holding, LLC (DWM/ 04)**, for damages alleged to have been sustained as a result of a sewer backup on August 4, 2009 at 955 Palmetto Avenue. **\$877.48**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2030 (18) Claim of **Edward Kipling (DWM/ NA)**, for damages alleged to have been sustained as a result of a water main break on August 17, 2010 at 7 Wildwood Valley. **\$675.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with favorable recommendations: (Cont'd)

- 10-R-2031 (19) Claim of **Susan Edwards (DPW/ 09)**, for vehicular damages alleged to have been sustained from driving over a pothole on April 1, 2010 at 1350 W. Marietta Street, NW. **\$657.26**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2032 (20) Claim of **AT&T (DWM/ 02)**, for damages alleged to have been sustained as a result of a vehicular accident on February 2, 2010 at 360 Jackson Street. **\$615.74**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2033 (21) Claim of **Rajan Kapoor (DWM/ 12)**, for vehicular damages alleged to have been sustained from driving over a pothole on March 3, 2010 at Cleveland Avenue, SW and Metropolitan Parkway, SW. **\$566.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2129 (22) Claim of **Kerstin Pfister, through her attorney, Howard Stopek Attorney at Law (APD/ 06)**, for vehicular damages alleged to have been sustained from an automobile accident on October 21, 2010 at I-85 NB Expressway, NW and Buford Highway, NE. **\$5,794.98**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with unfavorable recommendations:

- 10-R-2034 (23) Claim of **Kendrick Mitchell, through his attorney, Jonathan P. Schopp (NA/ NA)**, for injuries alleged to have been sustained as a result of an automobile accident on March 12, 2010 at 4305 Crosswind Road Lot C. **ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;**
0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2035 (24) Claim of **Rickey Hunt (NA/07)**, for damages alleged to have been sustained as a result of driving over a pothole on September 4, 2009 at 3376 Peachtree Road.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2036 (25) Claim of **Nationwide Mutual Fire Insurance Company, as subrogee of Sherry J. Williams-Miller (NA/11)**, for property damages alleged to have been sustained from an automobile accident on July 27, 2010 on Campbellton Road, SW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2037 (26) Claim of **Terrance Matthews, a minor, through his attorney, Darius Bennett (NA/09)**, for damages alleged to have been sustained as a result of an automobile accident on May 18, 2010 at 440 Altoona Place.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2038 (27) Claim of **Elvis Campbell (NA/12)**, for damages alleged to have been sustained as a result of driving over a pothole on March 21, 2010 at 2281 Lakewood Avenue.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2039 (28) Claim of **The Family of Cavader Martez McKibben, deceased, through their attorney, Keith L. Lindsay, Esq., Edmond & Lindsay, LLC (AFR/05)**, for damages alleged to have been sustained from an emergency response incident on December 4, 2009 at 15 Moreland Avenue, SE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2040 (29) Claim of **Mary F. Knight (APD/02)**, for property damages alleged to have been sustained to a residence during the apprehension and arrest of a tenant on April 18, 2010 at 1937 Brownsmill Road, SE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2041 (30) Claim of **2925 Properties, LLC (APD/ 02)**, for damages alleged to have been sustained as a result of an automobile accident on January 29, 2010 at 97 Peachtree Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS
- 10-R-2042 (31) Claim of **Gloria Warren (APD/ 03)**, for property damages alleged to have been sustained when a vehicle was towed on February 4, 2010 at 2176 Vesta Avenue, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS
- 10-R-2043 (32) Claim of **State Farm Insurance Companies, as subrogee of Theophilus Stegall (APD/ 4)**, for injuries alleged to have been sustained as a result of an automobile accident on April 16, 2010 at Beecher Street and Atwood Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS
- 10-R-2044 (33) Claim of **Phillip E. Reece, through his attorney, Bhrett J. Pizza (APD/ 06)**, for injuries alleged to have been sustained as a result of an automobile accident on June 11, 2009 at 3021 Middleton Road, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS
- 10-R-2045 (34) Claim of **Alison Griswell, through her attorney, Michael S. Waldrop (APD/ 07)**, for bodily injuries alleged to have been sustained from an arrest on March 12, 2010 at Interstate 85 and Buford Highway.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS
- 10-R-2046 (35) Claim of **Erian Randall, through her attorney, Todd R. Henningsen (APD/ 07)**, for injuries alleged to have been sustained as a result of an automobile accident on June 5, 2009 at 3747 Peachtree Road, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2047 (36) Claim of **Samia Franklin (APD/ 10)**, for damages alleged to have been sustained as a result of an emergency response call on September 15, 2010 at 763 Cascade Avenue, #23.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 10-R-2048 (37) Claim of **Georgia Tech Foundation Real Estate Holding Corporation, through their attorney, Jason S. Alloy, Esq., Robbins Law, LLC (DPCD/ 02)**, for damages alleged to have been sustained when a Zoning Permit was denied on July 7, 2009 at 771 Spring Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 10-R-2049 (38) Claim of **Latoya Tavernier (DPCD/ 07)**, for injuries alleged to have been sustained as a result of an automobile accident on May 10, 2010 at 3490 Piedmont Road, NE.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 10-R-2050 (39) Claim of **Margaret Stewart (DPRCA/ 12)**, for damages alleged to have been sustained as a result of a tree limb falling onto her roof on September 2, 2010 at 2812 Dearwood Drive.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 10-R-2051 (40) Claim of **Melvin Turman (DPW/ 02)**, for injuries alleged to have been sustained as a result of a trip and fall due to a stone on the sidewalk on August 15, 2010 at 101 Auburn Avenue.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 10-R-2052 (41) Claim of **Danyelle Joyce-Lyn Glover (DPW/ 02)**, for injuries alleged to have been sustained as a result of striking a pothole on November 1, 2009 on Peachtree Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2053 (42) Claim of **Ronisha Harris (DPW/ 03)**, for vehicular damages alleged to have been sustained from an automobile accident due to a missing stop sign on April 7, 2010 at North Avenue and Oliver Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2054 (43) Claim of **Travelers Commercial Insurance Company, as subrogee of Shelley Caltharp (DPW/ 06)**, for vehicular damages alleged to have been sustained from an automobile accident on July 22, 2010 at South Oakdale Road, NE and W. McClendon Avenue.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2055 (44) Claim of **Shelley Caltharp (DPW/ 06)**, for vehicular damages alleged to have been sustained from an automobile accident on July 22, 2010 at South Oakdale Road, NE and W. McClendon Avenue.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2056 (45) Claim of **John F. Woodham (DPW/ 07)**, for damages alleged to have been sustained from the levy and collection of solid waste fees from 2003 through 2008 at 159 East Wesley Road, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2057 (46) Claim of **Loretta Butts (DWM/ NA)**, for damages alleged to have been sustained as a result of a repair to a water main on March 30, 2009 at 3170 Kennan Court West, College Park.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2058 (47) Claim of **Michael Bykat (DWM/ 02)**, for damages alleged to have been sustained as a result of flooding during an extreme weather event on September 17, 2009 at 855 West Peachtree Street, Apartment 1414.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Caesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2059 (48) Claim of **Annie Wardlaw (DWM/ 03)**, for damages alleged to have been sustained as a result of a damaged manhole on November 26, 2009 at 10 Northside Drive.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2060 (49) Claim of **Franklin Long (DWM/ 04)**, for damages alleged to have been sustained as a result of a sewer backup on September 25, 2009 at 1315 Fair Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2061 (50) Claim of **Timothy and Stephanie Kemp, through their attorney, Gregory Parent (DWM/ 04)**, for damages alleged to have been sustained as a result of flooding from an inadequate drainage system on September 21, 2009 at 1258 Fair Street.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2062 (51) Claim of **James R. Chumbley, through his attorney, Sam L. Starks, Esq., Martin & Jones (DWM/ 06)**, for property damages alleged to have been sustained from storm water overflow on September 21, 2009 at 381 7th Street, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2063 (52) Claim of **James R. Chumbley, through his attorney, Sam L. Starks, Esq., Martin & Jones (DWM/ 06)**, for property damages alleged to have been sustained from storm water overflow on November 10, 2009 at 381 7th Street, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2064 (53) Claim of **State Farm Insurance Companies, as subrogee of Ann Joris (DWM/ 06)**, for damages alleged to have been sustained as a result of a sewer backup on February 1, 2010 at 413 Montgomery Ferry Drive.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/ CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 10-R-2065 (54) Claim of **James Blaine (DWM/ 07)**, for damages alleged to have been sustained as a result of a water main break on November 18, 2009 at 2790 Shady Valley Drive.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2066 (55) Claim of **Doriann Johnson (DWM/ 07)**, for injuries alleged to have been sustained as a result of a trip and fall in an uncovered water meter on April 27, 2010 at 3423 Piedmont Road, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2067 (56) Claim of **Waffle House, Inc., c/o David M. Scherer (DWM/ 07)**, for damages alleged to have been sustained as a result of a sewer backup on February 28, 2010 at 3016 Piedmont Road, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2068 (57) Claim of **Kikki Davenport, parent and natural guardian of Nahjay Bradley, a minor, through their attorney, Forrest B. Johnson (DWM/ 09)**, for damages alleged to have been sustained as a result of a fatal injury of city employee, Larry Bradley, on August 27, 2010 at 2440 Bolton Road, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2069 (58) Claim of **Georgia Power (DWM/ 10)**, for damages alleged to have been sustained when a light pole was damaged from a water main break on December 9, 2008 at 2555 Benjamin E. Mays Drive, SW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 10-R-2070 (59) Claim of **Liberty Mutual, as subrogee of Earnestine Barnes (DWM/ 11)**, for damages alleged to have been sustained as a result of a automobile accident due to a water main leak on December 29, 2009 at 4517 Campbellton Road.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

CONSENT AGENDA SECTION II

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

All items on Consent Agenda Section II (01 and 03 through 15 as follows) were Referred to the appropriate committees as a collective vote.

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

10-O-2006 (1) An Ordinance by **Community Development/ Human Resources Committee** amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$696,300.00 for the City of Atlanta Section 8 Moderate Rehabilitation Program for Santa Fe Villa Apartments; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-2007 (2) An Ordinance by **Community Development/ Human Resources Committee** authorizing the Mayor to accept a grant from and sign a Grant Agreement with the United States Environmental Protection Agency for the Brownfields Area-Wide Planning Pilot Program in an amount of \$175,000.00; amending the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$175,000.00; and for other purposes.

Note: Councilmember Hall stated for the record his abstention to Ordinance 10-O-2007 was due to a potential conflict of interest (employed by agency doing business with program).

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE

FELICIA A. MOORE, VICE-CHAIR

- 10-O-2077 (3) An Ordinance by **Finance/ Executive Committee** authorizing the Purchase of Permanent and Temporary Construction Easements and the necessary Rights-of-Way from various property owners for the completion of the Edgewood Avenue Project, and to authorize the Mayor, or his designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings; to authorize the City Attorney, or her designee, to institute condemnation proceedings pursuant to the Declaration of Taking Method authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the services of Outside Counsel, where necessary, to handle condemnation proceedings; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2078 (4) An Ordinance by **Finance/ Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations Transportation Improvements Funds in the amount of \$1,036,000.00 for the purpose of funding construction expenses for the Harris Homes-Lowery Boulevard Pedestrian Improvement Project, on behalf of the Department of Public Works; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2079 (5) An Ordinance by **Finance/ Executive Committee** to correct Ordinance 10-O-1555, Adopted by the Atlanta City Council on September 20, 2010 and Approved pursuant to Section 2-403 of the Charter of the City of Atlanta on September 29, 2010, to correct the Fiscal Year and Department; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

- 10-O-2080 (6) An Ordinance by **Finance/ Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations grant funds in the total amount of \$1,022,305.00 from the Federal Aviation Administration for the Project "Maynard H. Jackson International Terminal (MHJIT) Ramp 9 Northeast Apron & Taxi Lanes; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2081 (7) An Ordinance by **Finance/ Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 Airport Renewal and Extension Budget, Department of Aviation, by adding to anticipations and appropriations grant funds in the total amount of \$4,359,328.00 from the Federal Aviation Administration for Project Number 3-13-0008-097-2010 "Rehabilitate Taxiway L & M (Westside) – Construction"; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2082 (8) An Ordinance by **Finance/ Executive Committee** authorizing the Chief Financial Officer to amend the FY 2011 Budget by adding to anticipations and appropriations grant funds in the total amount of \$10,00,000.00 from the Federal Aviation Administration, and transferring to and from appropriations in the amount of \$2,500,000.00 for the City's share in Grant Agreement 3-13-0008-096-2010, for Project "Noise Mitigation Measures for Residences within 65-69 DNL and Noise Mitigation Measures for Public Buildings"; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, VICE-CHAIR

10-O-2130 (9) An Ordinance by **Finance/Executive Committee** waiving the payment provisions contained in the City of Atlanta Code of Ordinances, Article X, Procurement and Real Estate Code, to ratify the prior provision of Accela Automation Maintenance and Support Services by Accela, Inc., for the period beginning May 1, 2010 through January 31, 2011 for an amount not to exceed \$123,168.60; and to authorize payment for the remainder of the Contract Year from February 1, 2011 through April 30, 2011 in an amount not to exceed \$41,056.20 for a total amount not to exceed \$164,224.80 to be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-2131 (10) An Ordinance by **Finance/Executive Committee** amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, by adding to anticipations and appropriations in the amount of \$23,611.00 and matching funds in the amount of \$2,624.00 for a Grant Award from the Governor's Office for Children and Families to fund the Atlanta Gun Violence Prevention Program; to repeal Ordinance 10-O-1983; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

10-O-2003 (11) An Ordinance by **City Utilities Committee** authorizing the Mayor or his designee on behalf of the City of Atlanta, to enter into an Encroachment Agreement for non-conforming uses with the Board of Regents of the University System of Georgia, by and on behalf of Georgia State University, owner of real property located at 35 Broad Street, NW for the purpose of permitting an existing basement which presently extends into the public right-of-way; to waive the application fee and yearly inspection fee; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 10-O-2071 (12) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$398,748.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for the South Area Consolidation Project; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2116 (13) An Ordinance by **City Utilities Committee** to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances so as to increase the number of members and revise the composition of the Water and Sewer Appeals Board; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2117 (14) An Ordinance by **City Utilities Committee** to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances to increase the amount paid to members of the Water and Sewer Appeals Board in a calendar year; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 10-O-2118 (15) An Ordinance by **City Utilities Committee** to amend Chapter 154 (Utilities), Article II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board), of the City of Atlanta, Code of Ordinances to allow customers to authorize the Water and Sewer Appeals Board to administratively review the basis of the dispute and decide upon the customer's appeal without requiring the customer to appear before the Board for the hearing; to allow a customer to have a minimum of four members to conduct a hearing or administrative review; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

IVORY L. YOUNG, JR., CHAIR

Attendance at the November 30, 2010 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Bottoms, Adrean, Archibong and Willis

Absent: Councilmember Sheperd

RESOLUTIONS

Claim with favorable recommendation:

10-R-2028 (1) Claim of **Rita Capers (DPW/ 02)**, for bodily injuries alleged to have been sustained after falling from a wheelchair while traveling over a broken section of sidewalk on March 24, 2010 at 355 North Avenue. **\$894.38**

Chairperson Young sounded the caption to Resolution 10-R-2028 and stated the recommendation from committee was Favorable on Condition (receive information regarding the condition of the sidewalk). A brief discussion ensued. Following, the Motion to Adopt CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-R-2111 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Deborah Schowalter v. APD Officers L. H. Wagaman and Sgt. Algeo, Civil Action File Number 1:08-CV-00264-JOF, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$25,000.00; authorizing payment of \$25,000.00 to be charged to and paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)
IVORY L. YOUNG, JR., CHAIR

RESOLUTIONS (CONT'D)

- 10-R-2127 (2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into an Appropriate Contract Renewal with Trinity Services Group, Inc., for FC-6006007878, Inmate Food Services, in an amount not to exceed \$1,100,000.00 for one year, for the purpose of providing Food, Labor, Supplies and Materials necessary for the preparation of food for detainees in the Atlanta City Detention Center (ACDC), all contracted work shall be charged to and paid from the Fund, Account and Center Numbers listed; and for other purposes.

Chairperson Young sounded the caption to Resolution 10-R-2127 and stated the item was forwarded with No Recommendation from committee. After a brief discussion, Councilmember Martin made a Motion to Adopt. It was Seconded by Councilmember Young and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

- 10-R-2142 (3) A Resolution by **Councilmembers Ivory Lee Young, Jr. H. Lamar Willis, Keisha Bottoms, Yolanda Adrean, Aaron Watson, Michael Julian Bond, Felicia A. Moore, Cleta Winslow and Joyce M. Sheperd:** a resolution authorizing the settlement of all claims against the City of Atlanta in the case of Geoffrey Calhoun, et. al. v. City of Atlanta, et. al., civil action File No. 1:09-CV-3286-TCB, United States District Court, Northern District of Georgia Atlanta Division, in the amount of One Million Twenty-Five Thousand Dollars (\$1,025,000.00), and in consideration of certain actions to be taken by the Atlanta Police Department; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Resolution 10-R-2142. Following, Chairperson Young made a Motion to Adopt. It was properly Seconded and a discussion ensued, during which, the Council was advised by City Attorney Cathy Hampton to enter Executive Session to discuss the resolution due to litigation. A Motion was then made to enter Executive Session. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Therefore, Council entered Executive Session. Returning from Executive Session, Councilmember Young made a Motion to re-enter Regular Session.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (3)

IVORY L. YOUNG, JR., CHAIR

RESOLUTIONS (CONT'D)

10-R-2142 (3)
(Cont'd)

A Resolution by **Councilmembers Ivory Lee Young, Jr. H. Lamar Willis, Keisha Bottoms, Yolanda Adrean, Aaron Watson, Michael Julian Bond, Felicia A. Moore, Cleta Winslow and Joyce M. Sheperd**: a resolution authorizing the settlement of all claims against the City of Atlanta in the case of Geoffrey Calhoun, et. al. v. City of Atlanta, et. al., civil action File No. 1:09-CV-3286-TCB, United States District Court, Northern District of Georgia Atlanta Division, in the amount of One Million Twenty-Five Thousand Dollars (\$1,025,000.00), and in consideration of certain actions to be taken by the Atlanta Police Department; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Council entered Regular Session. After which, a brief discussion ensued, in which, Councilmember Moore made a Motion to Reconsider going into Regular Session. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Council President Ceasar C. Mitchell then expounded his explanation for going into Executive Session, stating for the record a potential legal matter and real estate matter. Thereafter, a Motion to enter Regular Session was moved. It was Seconded by Councilmember Young and CARRIED by a roll call vote of 13 yeas; 0 nays. Council re-entered Regular Session. Chairperson Young then sounded the caption to 10-R-2142 and made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (1)
JOYCE SHEPERD, CHAIR

Attendance at the November 30, 2010 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Young, Winslow and Bond

Absent: Councilmember Hall

COMMUNICATION

10-C-1350 (1) A Communication by **City Auditor Leslie Ward** submitting the Performance Audit: Office of Code Compliance Report. (Work session held 8/24/10)
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

10-O-1458 (1) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the Mayor or his designee to modify the boundaries of the Capitol View and Oakland City Neighborhoods and to amend the City's Official Neighborhood and NPU Maps accordingly; and for other purposes.

Chairperson Sheperd sounded the caption to Ordinance 10-O-1458 and made a Substitute Motion to Refer the item back to the Community Development/Human Resources Committee. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

RERERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

10-O-1205 (2) A **Substitute Ordinance by Community Development/ Human Resources Committee** to exercise a renewal option for the Chastain Park Amphitheater Contract, and to make certain amendments to said contract; and for other purposes.

Chairperson Sheperd sounded the caption to 10-O-1205 and stated the committee forwarded with No Recommendation on Substitute. Ms. Sheperd then made a Motion to Adopt on Substitute. A discussion ensued, during which, Councilmember Adrean made a Motion to bring forth a Substitute. It was Seconded by Councilmember Archibong and discussion continued. During discussion, Councilmember

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (2)
JOYCE SHEPERD, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-1205 (2)
(Cont'd) A **Substitute Ordinance by Community Development/ Human Resources Committee** to exercise a renewal option for the Chastain Park Amphitheater Contract, and to make certain amendments to said contract; and for other purposes.

Adrean withdrew her Motion to bring forth a Substitute and the Second from Councilmember Archibong was withdrawn as well. Following, Councilmember Martin made a Motion to Refer Ordinance 10-O-1205 back to the Community Development/ Human Resources Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

**REFERRED SUBSTITUTE TO COMMUNITY
DEVELOPMENT/ HUMAN RESOURCES COMMITTEE BY A ROLL
CALL VOTE OF 14 YEAS; 0 NAYS**

ITEMS REMOVED FROM CONSENT AGENDA SECTION I

Items (01 through 02 as follows) removed from Consent Agenda I were taken as a collective vote.

10-O-1919 (1) An Ordinance by **Community Development/ Human Resources Committee** to amend the 2008 City of Atlanta Comprehensive Development Plan by adopting the “**Atlanta BeltLine Master Plan Sub-Area 4: Memorial Drive/ Glenwood Ave.;**” and for other purposes. (Public Hearing held 11/29/10) (Note: **The above item was removed from the Consent Agenda by request of Councilmember Archibong**)

Chairperson Sheperd sounded the caption to Ordinances (10-O-1919 & 10-O-1991) and made a Motion to Adopt. Following, Councilmember Archibong made a Substitute Motion to Refer both ordinances back to the Community Development/ Human Resources Committee. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12
YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE (3)
JOYCE SHEPERD, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA SECTION I (CONT'D)

- 10-O-1991 (2) An Ordinance by **Community Development/ Human Resources CDP-10-12 Committee** to amend the Land Use Element of the City of Atlanta's 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located in the **Atlanta BeltLine Sub-Area_4 Memorial-Glenwood** from Various Land Use Designations to Various Land Use Designations; and for other purposes. (Public Hearing held 11/29/10) (Note : The above item was removed from the Consent Agenda by request of Councilmember Natalyn Archibong)

NPU's N and W

Council District 1, 2 and 5

Chairperson Sheperd sounded the caption to Ordinances (10-O-1919 & 10-O-1991) and made a Motion to Adopt. Following, Councilmember Archibong made a Substitute Motion to Refer both ordinances back to the Community Development/Human Resources Committee. It was Seconded by Councilmember Smith and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

- 10-O-2107 (3) An Ordinance by **Councilmember C. T. Martin** amending the 2011 (WIA Adult Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$1,679,602.00 in the Workforce Investment Act Adult Fund from the Georgia Department of Labor, to provide job training and other skills to local adult workers; and for other purposes. (Note: The above item was removed from the Consent Agenda by request of Councilmember Martin)

Note: Councilmember Bottoms stated for the record her abstention to 10-O-2107 was due to a potential conflict of interest (family member employed by agency).

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

CLETA WINSLOW, VICE-CHAIR

Attendance at the December 01, 2010 meeting of the Zoning Committee was as follows:

Present: Councilmembers Winslow (Vice-Chair), Young, Bottoms, Smith and Shook

Absent: Councilmember Watson

ORDINANCES FOR SECOND READING

10-O-1738 (1) An Ordinance by **Councilmember Kwanza Hall as Substituted**
Z-10-28 **by Zoning Committee** to amend Section 16-28A.010(12) of the Sign Ordinance of the City of Atlanta regulating signs in the Downtown Special Public Interest Zoning District (SPI-1), so as to modify and revise certain provisions of said Section; and for other purposes.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-O-1887 (2) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-10-32 Use Permit under the provisions of Section 16-06A.005(l)(k) for a Community Center property located at **627 English Avenue, SW, (a.k.a. 785 Pelham Road, SW)**, fronting approximately 234.98 feet on the north side of Pelham Road, approximately 465.35 feet on the east side of English Avenue, approximately 536.95 feet on the west side of James P. Brawley and approximately 158 feet on the south side of Donald Lee Hollowell Parkway.

Depth: Varies
Area: Approximately 3.2 Acres
Land Lot: 112, 14th District, Fulton County, Georgia
Owner: Mable A. Thomas
Applicant: Mable A. Thomas
NPU-L Council District 3

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

CLETA WINSLOW, VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-2099 (3) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis, and Michael J. Bond** to impose interim controls on applications for Building Permits for projecting sign for one hundred eighty (180) days or until such time as the Atlanta City Council has taken final action to amend the Code of Ordinances to define the maximum length which a sign may project from a wall and to specify the manner in which such sign must be supported in order to differentiate a projecting sign from a freestanding sign, whichever is the first to occur; and for other purposes.

A Motion was made to send Ordinance 10-O-2099 to the Mayor's Office immediately for signature. Properly Seconded, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCE FOR FIRST READING

10-O-2123 (1) An Ordinance by **Zoning Committee** granting a Special Use
U-10-36 Permit under the provisions of Section 16-18K.004(3) for a
Community Center, property located at **766 Joseph E. Boone
Boulevard** fronting approximately 56 feet on the south side of
Joseph E. Boone Boulevard approximately 95 feet on the east side
of James P. Brawley Drive.

Depth:	95 Feet
Area:	Approximately 0.122 Acre
Land Lot:	110, 14 th District, Fulton County, Georgia
Owner:	Kaveh Kamooneh
Applicant:	Trinderlyn S. Williams
NPU-L	Council District 3

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the December 06, 2010 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Sheperd, Hall and Winslow

Absent: Councilmembers Wan and Bond

The Standing Committee of Committee on Council did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (1)
FELICIA A. MOORE, VICE-CHAIR

Attendance at the December 01, 2010 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Vice-Chair), Martin, Shook, Wan and Willis

Absent: Councilmembers Adrean and Watson

REPORT

- 10-TR-2134 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to Various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.
FILED BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY

ORDINANCES FOR SECOND READING

- 10-O-1892 (1) An Ordinance and Charter Amendment by **Finance/Executive Committee** to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws P. 4469, et seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A, (Charter), Article III (Executive), Chapter 5 (Civil Service System), Section 3-507 (Modification of Pension Plans), so as to remove superfluous language which conflicts with language contained in certain pension plans maintained by the City of Atlanta, and to remove the limitation of benefits applicable to certain pension plans maintained by the City of Atlanta; to repeal conflicting ordinances; and for other purposes.
ADOPTED FOR 3RD READING/FINAL ADOPTION BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (2)
FELICIA A. MOORE, VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

The following items (01 through 02) were taken as a collective vote.

10-O-1982 (2) An Ordinance by **Councilmembers Michael Julian Bond and C. T. Martin** for the Fifteenth Supplemental Bond Ordinance supplementing the Restated and Amended Master Bond Ordinance of the City of Atlanta Adopted on March 20, 2000 (99-O-1896), as previously amended and Supplemented, to authorize the issuance by the City of Atlanta of its not to exceed \$20,000,000.00 Airport Limited Obligation Bond Anticipation Notes, to provide funds to finance or refinance, in whole or in part on an interim basis, to provide funds to pay or reimburse the City for all or a portion of a termination payment in connection with the termination of those certain Interest Rate Exchange Agreements related to the City's outstanding Airport General Revenue Bonds Series 2003RF-B and the City's outstanding Airport General Revenue Bonds Series 2003RF-C and pay certain expenses relating thereto; to provide for the form of said Bond Anticipation Notes and for the Execution of said Bond Anticipation Notes; providing for the rights of the holders of said Bond Anticipation Notes; to provide for the form of said Bond Anticipation Notes; to provide for the place of payment of the Principal and Interest on said Bond Anticipation Notes; approving the forms and authorizing the Execution of said Bond Anticipation Notes, a Note Purchase Agreement, and Certain Other Agreements in connection with said Bond Anticipation Notes and providing for incidental action; to provide for the repayment of said Bond Anticipation Notes from the proceeds of the not to exceed \$590,000,000.00 Airport General Revenue Refunding Bonds authorized by the Thirteenth Supplemental Bond Ordinance in anticipation of which the Bond Anticipation Notes are being issued and for other purposes; designating a Paying Agent and Bond Registrar; providing for severability; authorizing certain officials and employees of the City to take all actions required in connection with the issuance of said Bond Anticipation Notes; providing certain other details with respect thereto; providing an effective date; and for other purposes.

Vice-Chairperson Moore sounded the caption to both Ordinances (10-O-1982 & 10-O-2092) and made a Motion to Table both items for a Special Called Meeting to be held 12-16-10 at 10:00a.m. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

TABLED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cesar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (3)
FELICIA A. MOORE, VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

- 10-O-2092 (3) An Ordinance by **Councilmember C. T. Martin** for the Series 2010C Supplemental Bond Ordinance Supplementing and Amending that certain Thirteenth Supplemental Bond Ordinance of the City of Atlanta Adopted on July 6, 2009, to, among other things, re-designate the name and set forth the terms of the Airport General Revenue Refunding Bonds, Series 2010C, including the Aggregate Principal amount, Interest Rates, Maturity Amounts, Maturity Dates, Redemption Provisions and Debt Service Reserve Requirement with respect thereto; ratify certain prior actions of the City Council and certain officers and agents of the City with respect to the issuance and sale of the Series 2010C Bonds; approve the form and authorizing the execution of a Bond Purchase Agreement and certain other Agreements in connection with said Series 2010C Bonds; authorize and approve the preparation, use and distribution of a Final Official Statement in connection with the offer and sale of said Series 2010C Bonds; designate the Initial Bond Registrar and Paying Agent; ratify and approve the appointment of Bond Counsel; [set forth the terms and covenants associated with a Municipal Bond Insurance Policy related to said Series 2010C Bonds]; provide an effective date; and for other related purposes.

Vice-Chairperson Moore sounded the caption to both Ordinances (10-O-1982 & 10-O-2092) and made a Motion to Table both items for a Special Called Meeting to be held 12-16-10 at 10:00a.m. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

TABLED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

- 10-O-2097 (4) An Ordinance by **Councilmember H. Lamar Willis as Substituted by Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations, reclassifications, above entry authorizations, and employee salary adjustment authorizations, in the Departments of Corrections; Executive Offices; Fire; Information Technology; Parks, Recreation and Cultural Affairs; Police and Public Works and other personnel actions in line with the 2011 Budget; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (4)
FELICIA A. MOORE, VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

10-O-2104 (5) An Ordinance by Councilmembers Michael Julian Bond, Joyce M. Sheperd, Cleta Winslow, Yolanda Adrean, Howard Shook, Aaron Watson, H. Lamar Willis, C. T. Martin, Alex Wan and Kwanza Hall as Amended by Finance/Executive Committee authorizing the Mayor, acting on behalf of the City, to execute all documents necessary to accept the donation of 5.807 acres located at the corner of Marietta St., NW and Fairlie St., NW, commonly known as 72 Marietta St., NW, Atlanta, Georgia the former facility of the Atlanta Journal-Constitution; to authorize the Chief Financial Officer or her designee to sign the appropriate IRS Forms acknowledging that the City of Atlanta is a qualified organization under IRS Regulations to accept this non-cash charitable contribution; and for other purposes.

Vice-Chairperson Moore sounded the caption to Ordinance 10-O-2104 and stated the committee recommendation was Favorable as Amended. Following, Councilmember Martin offered Amendment #1/#1 to add a new Section #6 and renumber remaining sections accordingly. Said section to read as follows: "That any significant findings as it relates to the physical and environmental condition of the property discovered prior to closing shall be reported to the Council prior to said closing. In addition that the terms and conditions of the donation agreement attached hereto be amended to be consistent with those terms discussed in executive session during the December 6, 2010 City Council meeting including but not limited to the acquisition of title insurance and an environmental insurance policy." It was Seconded by Councilmember Bond and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. A discussion ensued. After which, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 1 nay.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (5)
FELICIA A. MOORE, VICE-CHAIR

RESOLUTIONS

10-R-1970 (1) A Substitute Resolution by Finance/executive Committee urging the 2011 Georgia General Assembly to support the City of Atlanta's 2011 Legislative Package; and for other purposes.

Vice-Chairperson Moore sounded the caption to Resolution 10-R-1970 and stated the recommendation from committee was Favorable on Substitute. Following, Councilmember Howard Shook offered Amendment #1/#1 to remove Item 1 (f) from the legislative package dealing with exempting teachers, farmers, firefighters from property tax. It was Seconded by Councilmember Willis and extensive discussion ensued, during which, Councilmember Willis Called the Question. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay. Subsequently, Shook Amendment #1/#1 CARRIED by a roll call vote of 9 yeas; 4 nays. Councilmember Adrean then offered Amendment #1/#2 to add under Item #1 Revenue/Fiscal – “the ability to levy sales taxes in partial pennies.” It was Seconded by Councilmember Archibong and Adrean Amendment #1/#2 CARRIED by a roll call vote of 13 yeas; 0 nays. Vice-Chairperson Moore then made a Motion to Adopt on Substitute as Amended. The Motion CARRIED by a roll call vote of 13 yeas; 0 nays. Later during the meeting, Councilmember Young made a Motion to Reconsider Resolution 10-R-1970 but withdrew his Motion and the Second as well was withdrawn. Councilmember Moore then made a Motion to Suspend the Rules of Council to hear from Mayor Kasim Reed regarding above resolution. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. The Rules of Council were Suspended. After Mayor Kasim Reed spoke and entertained questions from Council, Councilmember Martin made a Motion to re-enter Regular Session. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Council re-entered Regular Session. After which, Councilmember Young made a Motion to Reconsider Resolution 10-R-1970. It was Seconded by Councilmember Winslow and the Motion CARRIED by a roll call vote of 10 yeas; 3 nays. The above resolution was before Council. Following, Councilmember Martin stated he voted incorrectly and was not on the prevailing side. Councilmember Young, who was on the prevailing side, made a Motion to Reconsider his previous Motion to Reconsider. It was properly Seconded

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (6)

FELICIA A. MOORE, VICE-CHAIR

RESOLUTIONS (CONT'D)

10-R-1970 (1)
(Cont'd) A **Substitute** Resolution by **Finance/ executive Committee** urging the 2011 Georgia General Assembly to support the City of Atlanta's 2011 Legislative Package; and for other purposes.

and the Motion CARRIED by a roll call vote of `12 yeas; 1 nay. 10-R-1970 was before Council with a Motion to Adopt on Substitute as Amended. A discussion ensued, in which, Councilmember Young. offered Amendment #1/#3 to add Item 1(f) back to the legislative package. It was properly Seconded and after a brief discussion, Young Amendment #1/#3 CARRIED by a roll call vote of 11 yeas; 2 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 11 yeas; 2 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

10-R-2083 (2) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Amendment Number. 1 and Amendment Number 4 to Contract FC-4734, Cooperative Purchase Agreement from Fulton County Contract Number 06ITB51235K-JD, for Fast Track/Repairs/Construction Tasks between the City of Atlanta and Centennial Contractors Enterprises, Inc., on behalf of the Office of Enterprise Asset Management and the Atlanta Police Department, for the Renovation and Refurbishment of 818 Pollard Street to house the Community-Oriented Policing Division (COPS), in an amount not to exceed \$225,000.00; all funds shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

Vice-Chairperson Moore sounded the caption to the above resolution and stated it was forwarded from committee with a Favorable on Substitute on Condition (receive new substitute) recommendation. Ms. Moore then made a Motion to bring forth the Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. Following, Vice-Chairperson Moore made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/ EXECUTIVE COMMITTEE (7)
FELICIA A. MOORE, VICE-CHAIR

RESOLUTIONS (CONT'D)

10-R-2085 (3) A Resolution by **Finance/ Executive Committee** authorizing the Mayor or designee to enter into an appropriate Contractual Agreement with AON Consulting, Inc., a part of the Newly Formed AON Hewitt, for FC-5147, Comprehensive Compensation and Organizational Assessment, in the amount of \$713,252.00, paid from the FDOA Numbers listed; and the total amount to be divided into one-third equal shares among the General Fund, Water & Wastewater Revenue Fund and the Airport Revenue Fund; and for other purposes.

Vice-Chairperson Moore sounded the caption to Resolution 10-R-2085 and stated the recommendation from committee was Favorable. A discussion ensued. After which, the Motion to Adopt CARRIED by a roll call vote of 11 yeas; 1 nay.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

10-R-2112 (4) A **Substitute** Resolution by **Finance/ Executive Committee** to adopt the Service Delivery Strategy Agreement between the City of Atlanta and DeKalb County; and for other purposes.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

10-R-2135 (5) A Resolution by **Finance/ Executive Committee** authorizing the Chief Financial Officer to utilize funds in the amount not to exceed \$8,500,495.72 received by the City of Atlanta as Settlement of All Claims in the Case of City of College Park v. City of Atlanta and City of Atlanta and Fulton County Recreation Authority to help fund the Atlanta Streetcar Project and other Projects and purposes authorized by applicable law; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

10-R-2137 (6) A Resolution by **Finance/ Executive Committee** authorizing the Mayor to execute an Agreement with C. W. Matthews Contracting Company, Inc. for Project Number FC-5130; Runway 27R Extension Site Preparation, at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$15,981,587.02. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the November 30, 2010 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Hall, Martin, Adrean, Shook and Watson

Absent: Councilmember Smith

RESOLUTION

10-R-2125 (1) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to Encumber three (3) months of funding in the amount of \$350,000.00, for FC-4343, Program Management Services with MWH/ Khafra, JV on behalf of the Department of Watershed Management; all contracted work shall be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes.

Chairperson Archibong sounded the caption to Resolution 10-R-2125 and made a Motion to bring forth a Substitute. Without Objection, the Motion CARRIED by a roll call vote of 12 yeas; 1 nay. The Substitute was before Council. Following, the Motion to Adopt on Substitute was then CARRIED by a roll call vote of 11 yeas; 1 nay.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the December 01, 2010 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Smith, Willis, Archibong, Bond and Bottoms

Absent: None

RESOLUTIONS

10-R-2098 (1) A Resolution by **Councilmembers Kwanza Hall, Michael Julian Bond, Aaron Watson and H. Lamar Willis** authorizing the Mayor to execute the required "Conditional and Preliminary Term Sheet with the United States Department of Transportation [Modal Administration]" concerning the Atlanta Streetcar Project in anticipation of executing the documents for final obligation of the Grant awarded to the City of Atlanta, pursuant to the National Infrastructure Investments Discretionary Grant Program (TIGER II); and for other purposes.

Chairperson Martin sounded the caption to the above item and stated the recommendation was Favorable as Amended on Condition (copy of document on the streetcar delivery options) from committee. The condition being met, the Motion to Adopt as Amended then CARRIED by a roll call vote of 10 yeas; 1 nay.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS; 1 NAY

10-R-2136 (2) A Resolution by **Transportation Committee** authorizing the Mayor to enter into a Second Renewal to Contract No. FC-7703-04; Janitorial Services at Hartsfield-Jackson Atlanta International Airport, with American Facility Services, Inc. f/k/a Atlanta Building Maintenance, Inc., in an annual amount not to exceed \$171,267.00; all contracted work will be charged to and paid from the FDOA Number listed; and for other purposes.

Chairperson Martin sounded the caption to Resolution 10-R-2136 and made a Motion to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. The Substitute was before the Council. Mr. Martin then made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 10 yeas; 0 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

C. T. MARTIN, CHAIR

RESOLUTIONS (CONT'D)

- 10-R-2140 (3) A Resolution by **Transportation Committee** authorizing the Mayor on behalf of the City of Atlanta to execute a Conditional Option Agreement with the Utah Transit Authority concerning the purchase of Light Rail Vehicles for the Atlanta Streetcar Project with funds made available in connection with the recent Grant Awarded to the City under the National Infrastructure Investments Discretionary Grant Program (TIGER II); and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTIONS/ ADOPTED

- 10-R-2220 (1) A Resolution by **Councilmember H. Lamar Willis** authorizing the Mayor or his designee to accept in-kind donations on behalf of the City of Atlanta City Council Post 3 for the December 15th Senior Citizens Holiday Celebration; and for other purposes.

Councilmember Willis made a Motion to adopt the above resolution. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

- 10-R-2221 (2) a Resolution by **Councilmembers Ivory Lee Young, Jr., Joyce M. Sheperd, Felicia A. Moore, Aaron Watson, Natalyn Archibong, Kwanza Hall, Clea Winslow, C. T. Martin, Carla Smith, Michael Bond, Keisha Bottoms and Yolanda Adrean** to honor the Atlanta Falcons National Football League Franchise which has represented Atlanta for forty-five (45) years and celebrate the successful 2010 football season, to acknowledge the great economic impact and success of Atlanta Falcons will have on tourism and trade for the City of Atlanta, to seek the authorization for the use of the Atlanta City Hall Atrium, 55 Trinity Avenue, Atlanta, GA 30303 on December 27, 2010 from 12:30p.m. until 1:30p.m. at no additional cost to the Atlanta Falcons; and for other purposes.

Councilmember Young made a Motion to Adopt Resolution 10-R-2221. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

RESOLUTIONS/ REFERRED

- 10-R-2222 (1) A Resolution by **Councilmember Felicia A. Moore** authorizing the Mayor to execute Amendment Agreement Number 6 with Tople Construction, Inc., for FC-4943E, annual contract to construct sidewalks, driveways, curbs and gutters, for the Simms Avenue and Johnson Road Curbing Projects, on behalf of the Department of Public Works, in an amount not to exceed Seventy Eight Thousand Four Hundred Ninety Six Dollars and Twenty Cents (\$78,496.20); all contracted work to be charged to and paid from various Fund, Department Organization and Account Numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED (CONT'D)

- 10-R-2223 (2) A Resolution by **Councilmember Felicia A. Moore** authorizing the Mayor to execute Amendment Agreement Number 5 with SD&C, Inc., for FC-4943D, annual contract to construct sidewalks, driveways, curbs and gutters, for the Bolton Road/ Marietta Boulevard Intersection Project, on behalf of the Department of Public Works, in an amount not to exceed Sixty Four Thousand Nine Hundred Forty Seven Dollars and Fifty Cents (\$64,947.50); all contracted work to be charged to and paid from various Fund, Department Organization and Account Numbers; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 10-R-2224 (3) A Resolution by **Councilmembers Yolanda Adrean, Michael Julian Bond, Ivory Lee Young, Jr., Howard Shook and H. Lamar Willis** requesting the City of Atlanta administration to negotiate with the Chastain Ventures for a renewal term of five years plus one five-year renewal option; and to negotiate for a sound evaluation during year three of the renewal term and year three of a subsequent renewal term if applicable; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-R-2225 (4) A Resolution by **Councilmember Yolanda Adrean** to authorize the Office of Planning to approve the replat of property having a street address of 3596 Habersham Road despite the existence of additional street frontage along Honour Circle; to add certain conditions to the approval; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 10-R-2226 (5) A Resolution by **Councilmembers Joyce M. Sheperd, Michael Julian Bond, Carla Smith, H. Lamar Willis and Aaron Watson** authorizing the Mayor or his designee to conduct a traffic study of the intersection of Amal Drive, SW and Pryor Road, SW for the installation of traffic and pedestrian safety signals; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED (CONT'D)

- 10-R-2227 (6) A Resolution by **Councilmembers Alex Wan and Aaron Watson** authorizing the Office of Planning to change the lot dimensions of the City of Atlanta Cadastral Map for an improved legal, non-conforming lot of record at 1380 Wessyngton Road; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

- 10-R-2229 (7) A Resolution by **Councilmember Cleta Winslow** requesting that the Office of Traffic and Transportation perform a traffic analysis on Lee Street to Ralph David Abernathy Boulevard and make recommendations on traffic calming devices for the West End Community; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ORDINANCE/ REFERRED

- 10-O-2228 (1) An Ordinance by **Councilmember H. Lamar Willis** amending the City of Atlanta Code of Ordinances so as to add a new Section 2-1719, prohibition against the use of cell phones by City employees while operating a vehicle in the performance of City business; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the December 06, 2010 meeting of the Atlanta City Council was adjourned at 8:04 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson (12); Councilmembers Hall and Willis were excused (2).